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Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 5-9-05 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims).
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New) and (Not entered).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: Claims 4, 5 and 7 do not have the correct status identifiers.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at: <http://www.uspto.gov/web/offices/nac/dapp/cpl/a/procenotice/office11ver.pdf>.

If the non-compliant amendment is a PRELIMINARY AMENDMENT, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

If the non-compliant amendment is a reply to a NON-FINAL OFFICE ACTION (including a submission for an RCE), and since the amendment appears to be a bona fide attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD OF ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).

If the amendment is a reply to a FINAL REJECTION, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Legal Instruments Examiner (LIE)

Telephone No.

571-272-0538
Fax: 571-273-8300

Rev. 6/04

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JUN 20 2005

GREGORY J. NELSON
JOSEPH H. ROEDIGER, Of Counsel
REGISTERED PATENT ATTORNEYS

ATTORNEYS AT LAW
3333 E. Camelback Road, Ste. 212
Phoenix, Arizona 85018
TELEPHONE (602) 263-8782
FACSIMILE (602) 265-5984

Greg@Nelson-Roediger.com

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Name: Mr. G.E. Elkins, Patent Examiner
Ms. D. Martino, Legal Instruments Examiner
Organization: USPTO
Fax: (571) 273-8300
Phone: (571) 272-0538
From: Stephanie L. Goff for Gregory J. Nelson
Date: June 20, 2005
Subject: U.S. Patent Application SN 10/621,653
Applicants: Robert L. and Betty Wilson
Pages: 8 (including coversheet)
Comments:

To Whom It May Concern:

Attached is a Response to Non-Compliant Amendment regarding the subject patent application.

Should you have any questions, please do not hesitate to contact me.

Sincerely,
NELSON & ROEDIGER
Stephanie
Legal Assistant to Gregory J. Nelson

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Dated: 6/20/2005
Gregory J. Nelson

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicants: ROBERT L. and BETTY WILSON)

Serial No.: 10/621,653)

Ex. G.E. ELKINS

A/U 3727

LIE: D. MARTINO

Filing Date: July 16, 2003)

Title: "Folding Luggage Rack for Motorcycles")

RESPONSE TO NON-COMPLIANT AMENDMENT

37 C.F.R. §1.121

Commissioner For Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Notice of Non-Compliant Amendment dated May 26,
2005, and the Office Action dated January 6, 2005.

Amendments to the claims begins on page 2, ending on page 5Remarks are on page 6